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### Article Summaries, Monday, June 27<sup>th</sup>, 2011:

#### "Percentage Standards" for Biofuels

#### EPA plans to expand biofuel standard

Fleet Owner, 06/24/11

The Environmental Protection Agency (EPA) is proposing to increase the "percentage standards" for biofuels next year. The proposal would increase the allowable amount of organic-based biofuel within blended products, such as biodiesel. The agency proposes to mandate the blending of 15.2 billion gallons of renewable fuel into the U.S. fuel supply, while also increasing the proposed mandate for advanced biofuels by 48%, to 2 billion gallons, as part of the agency's Renewable Fuel Standard program (RFS2). More at: <a href="http://fleetowner.com/green/archive/epa-plans-expanded-biofuel-standard-0624/">http://fleetowner.com/green/archive/epa-plans-expanded-biofuel-standard-0624/</a>

#### **Industrial Boiler Rule Delayed**

#### EPA sets timeline for controversial air pollution rule

The Hill, 06/24/11

The Environmental Protection Agency announced Friday that it plans to complete revised air toxics standards for industrial boilers by the end of April 2012. The agency finalized the rules under a court order earlier this year, but then put implementation on hold in May while it reconsiders certain aspects. More at: <a href="http://thehill.com/blogs/e2-wire/677-e2-wire/168351-epa-sets-timeline-for-controversial-air-pollution-rule">http://thehill.com/blogs/e2-wire/168351-epa-sets-timeline-for-controversial-air-pollution-rule</a>

#### **Open Coal Ash Dumps Contaminating Water in Arkansas, Louisiana, Oklahoma, Texas**

#### Report links ash dumps to water contamination in 19 states

Environment & Energy Daily, 06/24/11

A survey of water quality data found contamination near 33 coal ash landfills in 19 states, according to a report released today by the watchdog group Environmental Integrity Project. There were elevated levels of arsenic, lead and mercury, among other pollutants near landfills for ash generated by coal-burning power plants, the group said. More at: http://www.eenews.net/Greenwire/2011/06/24/10

#### **Pesticide**

## Roundup: Birth Defects Caused By World's Top-Selling Weedkiller, Scientists Say

HuffPost Green, 06/24/11

The chemical at the heart of the planet's most widely used herbicide -- Roundup weedkiller, used in farms and gardens across the U.S. -- is coming under more intense scrutiny following the release of a new report calling for a heightened regulatory response around its use. Critics have argued for decades that glyphosate, the active ingredient in Roundup and other herbicides used around the globe, poses a serious threat to public health. Industry regulators, however, appear to have consistently overlooked their concerns. More at: <a href="http://huff.to/IM5u6h">http://huff.to/IM5u6h</a>

### **Arkansas Remedial Action Trust Tapped to Clean Up Chemicals**

### Arkansas commission votes for funding site cleanup

The Associated Press, 06/24/11

The Arkansas Pollution Control and Ecology Commission has approved a request to spend up to \$405,000 to remove containers of corrosive and flammable materials from an abandoned facility in West Memphis. Commission officials made the decision at a meeting Friday to spend money from the Remedial Action Trust Fund to address conditions at Diaz Intermediates Corp. Arkansas Department of Environmental Quality officials say Diaz operated a facility in West Memphis that produced and supplied products to the chemical industry. More at: <a href="http://bit.ly/jDV5Je">http://bit.ly/jDV5Je</a>

#### **UNO Research Grant for Lake Ponchartrain**

#### Lake Pontchartrain chosen for federal effort to help urban waterways

New Orleans Times-Picayune, 06/24/11

A partnership of 11 federal agencies announced Friday that it will target Lake Pontchartrain and six other urban waterways in an effort to coordinate environmental restoration efforts to stimulate economic development, create jobs and improve the quality of life. The Urban Waters Federal Partnership was officially announced in Baltimore, the site of the Patapsco River watershed, by EPA Administrator Lisa Jackson — a New Orleans native — and Interior Secretary Ken Salazar. More at:

http://www.nola.com/environment/index.ssf/2011/06/lake\_pontchartrain\_chosen\_for.html

#### (reprint of EPA News Release)

#### EPA Awards Over \$1 Million to the UNO Research and Technology Foundation (LA)

USA Today, 06/24/11

The Environmental Protection Agency (EPA) has awarded \$1,112,800 to the University of New Orleans Research and Technology Foundation for water quality improvement projects in the Lake Pontchartrain Basin. More at: http://content.usatoday.com/topics/article/Lake%20Pontchartrain/0aU453J9pg7Sg/1

#### **Natural Gas Drilling**

#### Insiders Sound an Alarm Amid a Natural Gas Rush

New York Times, 06/24/11

Natural gas companies have been placing enormous bets on the wells they are drilling, saying they will deliver big profits and provide a vast new source of energy for the United States. But the gas may not be as easy and cheap to extract from shale formations deep underground as the companies are saying, according to hundreds of industry emails and internal documents and an analysis of data from thousands of wells. In the e-mails, energy executives, industry lawyers, state geologists and market analysts voice skepticism about lofty forecasts and question whether companies are intentionally, and even illegally, overstating the productivity of their wells and the size of their reserves. Many of these e-mails also suggest a view that is in stark contrast to more bullish public comments made by the industry, in much the same way that insiders have raised doubts about previous financial bubbles. More at: <a href="http://www.nytimes.com/2011/06/26/us/26gas.html">http://www.nytimes.com/2011/06/26/us/26gas.html</a>

#### Radon

## Abilene area apparently not high in radon, but government officials urge caution

Abilene Reporter-News, 06/26/11

Recent government estimates say radon — a naturally occurring, invisible and odorless radioactive gas — can be found in high levels in one out of every 15 American homes. Exposure to the substance is estimated to be the leading cause of lung cancer among nonsmokers, leading to an estimated 21,000 deaths each year, according to the U.S. Environmental Protection Agency. The potential danger of long-term exposure to radon has prompted the EPA and other government agencies to team up to increase awareness. More at:

http://www.reporternews.com/news/2011/jun/26/abilene-area-apparently-not-high-in-radon-but/



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Home » Running Green » Running Green Archive » EPA plans to expand biofuel standard

## EPA plans to expand biofuel standard

Jun 24, 2011 12:23 PM, By Sean Kilcarr, senior editor

The Environmental Protection Agency (EPA) is proposing to increase the "percentage standards" for biofuels next year. The proposal would increase the allowable amount of organic-based biofuel within blended products, such as biodiesel.

The agency proposes to mandate the blending of 15.2 billion gallons of renewable fuel into the U.S. fuel supply, while also increasing the proposed mandate for advanced biofuels by 48%, to 2 billion gallons, as part of the agency's Renewable Fuel Standard program (RFS2).

This move is being welcomed in several corners of the trucking industry, as many see it as a way to make diesel engine technology cleaner and more environmentally friendly.

"The growing use of advanced biofuels and renewable diesel fuel underscores the expanding role clean diesel technology will continue to play as we move to a more sustainable energy future," said Allen Schaeffer, executive director of the Diesel Technology Forum (DTF).

"The proposed increase to one billion gallons of biomass-based diesel and two billion gallons of advanced biofuels will play a significant role in reducing emissions and our dependence on foreign oil production," he added. "Today's diesel engine and equipment makers are increasingly welcoming high-quality, bio-based fuels into most diesel engines in blends of 5% to 20%. The next generation of renewable diesel fuels only further enhances the benefits of clean diesel technology."

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## EPA sets timeline for controversial air pollution rule

By Ben Geman - 06/24/11 12:02 PM ET

The Environmental Protection Agency announced Friday that it plans to complete revised air toxics standards for industrial boilers by the end of April 2012.

The agency finalized the rules under a court order earlier this year, but then <u>put implementation on hold</u> in May while it reconsiders certain aspects.

"To ensure that the agency's standards are based on the best available data and the public is given ample opportunity to provide additional input and information, the agency will propose standards to be reconsidered by the end of October 2011 and issue final standards by the end of April 2012," EPA announced Friday.

"This is the best approach to put in place technically and legally sound standards that will bring significant health benefits to the American public," EPA said.

The rules have come under fire from industry groups, Republicans and some Democrats, who say they go too far and fear EPA lacks enough legal leeway to fix them.

A bipartisan group of House members <u>floated legislation earlier this week</u> that gives the agency 15 months to propose new "achievable" boiler regulations that are the "least burdensome" on industry.

Companies must be able to meet the new standards "under actual operating conditions," the bill states, and it also extends the existing three-year compliance period for the regulations to five years.

#### Source:

http://thehill.com/blogs/e2-wire/677-e2-wire/168351-epa-sets-timeline-for-controversial-air-pollution-rule

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# Greenwire

#### 10. COAL: Report links ash dumps to water contamination in 19 states (06/24/2011)

#### Manuel Quinones, E&E reporter

A survey of water quality data found contamination near 33 coal ash landfills in 19 states, according to a report released today by the watchdog group Environmental Integrity Project.

There were elevated levels of arsenic, lead and mercury, among other pollutants near landfills for ash generated by coalburning power plants, the group said.

U.S. EPA rules in place since 1979 "should have forced closure or cleanup at contaminated sites long ago," Eric Schaeffer, the group's director, said in a statement. "Because EPA was prohibited by law from cracking down on open dumping violations, they have been largely ignored by the industry, so the pollution continues to this day, and in some cases has gotten worse."

But Jim Roewer, executive director of the Utility Solid Waste Activities Group, said the report failed to consider background levels of pollution near the landfills. Some contaminants, he said, occur naturally in some areas.

"It paints a somewhat incomplete picture," Roewer said. "To get a complete picture of the site, you need to look at what the actual concentrations are."

The environmental group, which based its report on data from state regulators, concedes its information was limited because regulators did not turn over data or because data-collection efforts were limited.

"That is definitely a problem," the group's attorney, Abel Russ, said in an interview. Nonetheless, he said, elevated concentrations of pollutants at some wells are a reason for concern.

The report comes as EPA is in the midst of a rulemaking that could beef up standards for disposal sites. The effort has been the focus of intense lobbying and of House legislation that aims to restrict agency action.

Schaeffer decried the <u>legislation</u>, which the House Environment and Economy Subcommittee approved this week, saying the bill is "pointless and won't do anything to protect people who live near these dumps."

The bill would allow states to create a coal ash disposal program with minimal federal guidelines. States would have the primary responsibility to implement and enforce that program. U.S. EPA would be able to intervene in some cases, including to enforce a coal ash permit program if states fail to do so.

Roewer said the legislation would prohibit EPA from regulating coal ash as a hazardous substance, a key issue for the industry group.

"I would reject the notion that if a waste isn't regulated as a hazardous waste at the federal level it's not well regulated. That's simply not the case," Roewer said. His group recently backed a report citing massive job losses under potential EPA action on ash (*Greenwire*, June 16).

Click here to read the EIP report.

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## Roundup: Birth Defects Caused By World's Top-Selling Weedkiller, Scientists Say



First Posted: 06/24/11 09:04 AM ET Updated: 06/24/11 01:07 PM ET

React

WASHINGTON -- The chemical at the heart of the planet's most widely used herbicide -- Roundup weedkiller, used in farms and gardens across the U.S. -- is coming under more intense scrutiny

following the release of a new report calling for a heightened regulatory response around its use.

Critics have argued for decades that glyphosate, the active ingredient in Roundup and other herbicides used around the globe, poses a serious threat to public health. Industry regulators, however, appear to have consistently overlooked their concerns.

A comprehensive review of existing data released this month by Earth Open Source, an organization that uses open-source collaboration to advance sustainable food production, suggests that industry regulators in Europe have known for years that glyphosate, originally introduced by American agricultural biotechnology giant Monsanto in 1976, causes birth defects in the embryos of laboratory animals.

Founded in 2009, Earth Open Source is a non-profit organisation incorporated in the U.K. but international in scope. Its three directors, specializing in <u>business</u>, <u>technology</u> and <u>genetic engineering</u>, work pro-bono along with a handful of young volunteers. Partnering with half a dozen international scientists and researchers, the group drew its conclusions in part from studies conducted in a number of locations, including <u>Argentina</u>, <u>Brazil</u>, <u>France</u> and the <u>United States</u>.

Earth Open Source's study is only the latest report to question the safety of glyphosate, which is the top-ranked herbicide used in the United States. Exact figures are hard to come by because the U.S. Department of Agriculture stopped updating its <u>pesticide use database</u> in 2008. The EPA estimates that the agricultural market used 180 to 185 million pounds of glyphosate between 2006 and 2007, while the non-agricultural market used 8 to 11 million pounds between 2005 and 2007, according to its <u>Pesticide Industry Sales & Usage Report for 2006-2007</u> published in February, 2011.

The Earth Open Source study also reports that by 1993 the herbicide industry, including Monsanto, knew that visceral anomalies such as dilation of the heart could occur in rabbits at low and medium-sized doses. The report further suggests that since 2002, regulators with the European Commission have known that glyphosate causes developmental malformations in lab animals.

Even so, the commission's health and consumer division published <u>a final review report</u> of glyphosate in 2002 that approved its use in Europe for the next 10 years.

#### Story continues below



As recently as last year, the German Federal Office for Consumer Protection and Food Safety (BLV), a government agency conducting a review of glyphosate, told the European Commission that there was no evidence the compound causes birth defects, according to the report.

The agency reached that conclusion despite almost half a dozen industry studies that found glyphosate produced fetal malformations in lab animals, as well as <u>an independent study from 2007</u> that found that Roundup induces adverse reproductive effects in the male offspring of a certain kind of rats.

German regulators declined to respond in detail for this story because they say they only learned of the Earth Open Source report last week. The regulators emphasized that their findings were based on public research and literature.

Although the European Commission originally planned to review glyphosate in 2012, it decided late last year not to do so until 2015. And it won't review the chemical under more stringent, up-to-date standards until 2030, according to the report.

The European Commission told HuffPost that it wouldn't comment on whether it was already aware of studies demonstrating the toxicity of glyphosate in 2002. But it said the commission was aware of the Earth Open Source study and had discussed it with member states.

"Germany concluded that study does not change the current safety assessment of gylphosate," a commission official told HuffPost in an email. "This view is shared by all other member states."

John Fagan, a doctor of molecular and cell biology and biochemistry and one of the founders of Earth Open Source, acknowledged his group's report offers no new laboratory research. Rather, he said the objective was for scientists to compile and evaluate the existing evidence and critique the regulatory response.

"We did not do the actual basic research ourselves," said Fagan. "The purpose of this paper was to bring together and to critically evaluate all the evidence around the safety of glyphosate and we also considered how the regulators, particularly in Europe, have looked at that."

For its part, Earth Open Source said that government approval of the ubiquitous herbicide has been rash and problematic.

"Our examination of the evidence leads us to the conclusion that the current approval of glyphosate and Roundup is deeply flawed and unreliable," wrote the report's authors. "What is more, we have learned from experts familiar with pesticide assessments and approvals that the case of glyphosate is not unusual.

"They say that the approvals of numerous pesticides rest on data and risk assessments that are just as scientifically flawed, if not more so," the authors added. "This is all the more reason why the Commission must urgently review glyphosate and other pesticides according to the most rigorous and up-to-date standards."

Monsanto spokeswoman Janice Person said in a statement that the Earth Open Source report presents no new findings.

"Based on our initial review, the Earth Open Source report does not appear to contain any new health or toxicological evidence regarding glyphosate," Person said.

"Regulatory authorities and independent experts around the world agree that glyphosate does not cause adverse reproductive effects in adult animals or birth defects in offspring of these adults exposed to glyphosate," she said, "even at doses far higher than relevant environmental or occupational exposures."

While Roundup has been associated with deformities in a host of laboratory animals, its impact on humans remains unclear. One laboratory <u>study done in France</u> in 2005 found that Roundup and glyphosate caused the death of human placental cells and abnormal embryonic cells. <u>Another study</u>, conducted in 2009, found that Roundup caused total cell death in human umbilical, embryonic and placental cells within 24 hours. Yet researchers have conducted few follow-up studies.

"Obviously there's a limit to what's appropriate in terms of testing poison on humans," said Jeffrey Smith, executive director of the Institute for Responsible Technology, which advocates for genetically modified food. "But if you look at the line of converging evidence, it points to a serious problem. And if you look at the animal feeding studies with genetically modified Roundup ready crops, there's a consistent theme of reproductive disorders, which we don't know the cause for because follow-up studies have not been done."

"More independent research is needed to evaluate the toxicity of Roundup and glyphosate," he added, "and the evidence that has already accumulated is sufficient to raise a red flag."

Authorities have criticized Monsanto in the past for soft-peddling Roundup. In 1996 New York State's Attorney General <u>sued Monsanto</u> for describing Roundup as "environmentally friendly" and "safe as table salt." Monsanto, while not admitting any wrongdoing, agreed to stop using the terms for promotional purposes and paid New York state \$250,000 to settle the suit.

Regulators in the United States have said they are aware of the concerns surrounding glyphosate. The Environmental Protection Agency, which is required to reassess the safety and effectiveness all pesticides on a 15-year cycle through a process called registration review, is currently examining the compound.

"EPA initiated registration review of glyphosate in July 2009," the EPA told HuffPost in a written statement. "EPA will determine if our previous assessments of this chemical need to be revised based on the results of this review. EPA issued a notice to the company [Monsanto] to submit human health and ecotoxicity data in September 2010."

The EPA said it will also review a "wide range of information and data from other independent researchers" including Earth Open Source.

The agency's Office of Pesticide Programs is in charge of the review and has set a deadline of 2015 for determining if registration modifications need to be made or if the herbicide should continue to be sold at all.

Though skirmishes over the regulation of glyphosate are playing out at agencies across the U.S. and around the world, Argentina is at the forefront of the battle.

#### THE ARGENTINE MODEL

The new report, "Roundup and birth defects: Is the public being kept in the dark?" comes years after Argentine scientists and residents targeted glyphosate, arguing that it caused health problems and environmental damage.

Farmers and others in Argentina used the weedkiller primarily on genetically modified Roundup Ready soy, which covers nearly 50 million acres, or half of the country's cultivated land area. In 2009 farmers sprayed that acreage with an estimated 200 million liters of glyphosate.

The Argentine government helped pull the country out of a recession in the 1990s in part by promoting genetically modified soy. Though it was something of a miracle for poor farmers, several years after the first big harvests residents near where the soy cop grew began reporting health problems, including high rates of <u>birth defects and cancers</u>, as well as <u>the losses of crops and livestock</u> as the herbicide spray drifted across the countryside.

Such reports gained further traction after an Argentine government scientist, Andres Carrasco conducted a study, "Glyphosate-Based Herbicides Produce Teratogenic Effects on Vertebrates by Impairing Retinoic Acid Signaling" in 2009.

The study, published in the journal <u>Chemical Research in Toxicology</u> in 2010, found that glyphosate causes malformations in frog and chicken embryos at doses far lower than those used in agricultural spraying. It also found that malformations caused in frog and chicken embryos by Roundup and its active ingredient glyphosate were similar to human birth defects found in genetically modified soy-producing regions.

"The findings in the lab are compatible with malformations observed in humans exposed to glyphosate during pregnancy," wrote Carrasco, director of the Laboratory of Molecular Embryology at the University of Buenos Aires. "I suspect the toxicity classification of glyphosate is too low."

"In some cases this can be a powerful poison," he concluded.

Argentina has not made any federal reforms based on this research and has not discussed the research publicly, Carrasco told HuffPost, except to mount a "close defense of Monsanto and it partners."

The Ministry of Science and Technology has moved to distance the government from the study, telling media at the time the study was not commissioned by the government and had not been reviewed by scientific peers.

Ignacio Duelo, spokesman for the the Ministry of Science and Technology's National Council for Scientific and Technical Research [CONICET], told HuffPost in an statement that while Carrasco is one of its researchers, CONICET has not vouched for or assessed his work.

Duelo said that the Ministry of Science is examining Carrasco's report as part of a study of the possible harmful effects of the glyphosate. Officials, he added, are as yet unable to "reach a definitive conclusion on the effects of glyphosate on human health, though more studies are recommended, as more data is necessary."

#### **REGIONAL BANS**

After Carrasco announced his findings in 2009, the Defense Ministry <u>banned planting of genetically modified glyphosate-resistant soy</u> on lands it rents to farmers, and a group of environmental lawyers <u>petitioned the Supreme Court of Argentina</u> to implement a national ban on the use of glyphosate, including Monsanto's Roundup product. But the ban was never adopted.

"A ban, if approved, would mean we couldn't do agriculture in Argentina," said Guillermo Cal, executive director of CASAFE, Argentina's association of fertilizer companies, in a statement at the time.

In March 2010, a regional court in Argentina's Santa Fe province <u>banned the spraying of glyphosate</u> and other herbicides near populated areas. A month later, the provincial government of Chaco province issued a report on health statistics from La Leonesa. The report, <u>which was carried in the leftist Argentinian newspaper Página 12</u>, showed that from 2000 to 2009, following the expansion of genetically-modified soy and rice crops in the region, the childhood cancer rate tripled in La Leonesa and the rate of birth defects increased nearly fourfold over the entire province.

#### MORE QUESTIONS

Back in the United States, Don Huber, an emeritus professor of plant pathology at Purdue University, found that genetically-modified crops used in conjunction with Roundup contain a bacteria that may cause animal miscarriages.

After studying the bacteria, Huber wrote Secretary of Agriculture Tom Vilsack in February warning that the "pathogen appears to significantly impact the health of plants, animals, and probably human beings."

The bacteria is particularly prevalent in corn and soybean crops stricken by disease, according to Huber, who asked Vilsack to stop deregulating Roundup Ready crops. Critics such as Huber are

particularly wary of those crops because scientists have genetically altered them to be immune to Roundup -- and thus allow farmers to spray the herbicide liberally onto a field, killing weeds but allowing the crop itself to continue growing.

Monsanto is not the only company making glyphosate. China sells glyphosate to Argentina at a very low price, Carrasco said, and there are more than one hundred commercial formulations in the market. But Monsanto's Roundup has the longest list of critics, in part because it dominates the market.

The growth in adoption of genetically modified crops <u>has exploded</u> since their introduction in 1996. According to Monsanto, an estimated 89 percent of domestic soybean crops were Roundup Ready in 2010, and as of 2010, there were 77.4 million acres of Roundup Ready soybeans planted, according to the Department of Agriculture.

In his letter to the Agriculture Department, Huber also commented on the herbicide, saying that the bacteria that he's concerned about appears to be connected to use of glyphosate, the key ingredient in Roundup.

"It is well-documented that glyphosate promotes soil pathogens and is already implicated with the increase of more than 40 plant diseases; it dismantles plant defenses by chelating vital nutrients; and it reduces the bioavailability of nutrients in feed, which in turn can cause animal disorders," he wrote.

Huber said the Agriculture Department wrote him in early May and that he has had several contacts with the agency since then. But there's little evidence that government officials have any intention of conducting the "multi-agency investigation" Huber requested.

Part of the problem may be that the USDA oversees genetically modified crops while the EPA watches herbicides, creating a potential regulatory loophole for products like Roundup, which relies on both to complete the system. When queried, USDA officials emphasized that they do not regulate pesticides or herbicides and declined to comment publicly on Huber's letter.

A spokesman eventually conceded their scientists do study glyphosate. "USDA's Agricultural Research Service's research with glyphosate began shortly after the discovery of its herbicidal activity in the mid 1970s," said the USDA in a statement. "All of our research has been made public and much has gone through the traditional peer review process."

While Huber acknowledged his research is far from conclusive, he said regulatory agencies must seek answers now. "There is much research that needs to be done yet," he said. "But we can't afford to wait the three to five years for peer-reviewed papers."

While Huber's claims have roiled the agricultural world and the blogosphere alike, he has fueled skeptics by refusing to make his research public or identify his fellow researchers, who he claims could suffer substantial professional backlash from academic employers who received research funding from the biotechnology industry.

At Purdue University, six of Huber's former colleagues <u>pointedly distanced themselves</u> from his findings, encouraging crop producers and agribusiness personnel "to speak with University Extension personnel before making changes in crop production practices that are based on sensationalist claims."

Since it first introduced the chemical to the world in the 1970s, Monsanto has netted billions on its best-selling herbicide, though the company has faced stiffer competition since its patent expired in 2000 and it is reportedly working to revamp its strategy.

In a lengthy email, Person, the Monsanto spokeswoman, <u>responded to critics</u>, suggesting that the economic and environmental benefits of Roundup were being overlooked:

The authors of the report create an account of glyphosate toxicity from a selected set of scientific studies, while they ignored much of the <u>comprehensive data</u> establishing the safety of the product. Regulatory agencies around the world have concluded that glyphosate is not a reproductive toxin or teratogen (cause of birth defects) based on in-depth review of the comprehensive data sets available.

Earth Open Source authors take issue with the decision by the European Commission to place higher priority on reviewing other pesticide ingredients first under the new EU regulations, citing again the flawed studies as the rationale. While glyphosate and all other pesticide ingredients will be reviewed, the Commission has decided that glyphosate appropriately falls in a category that doesn't warrant immediate attention.

"The data was there but the regulators were glossing over it," said John Fagan of Earth Open Source, "and as a result it was accepted in ways that we consider really questionable."

#### **CORNERING THE INDUSTRY?**

Although the EPA has said it wants to evaluate more evidence of glyphosate's human health risk as part of a <u>registration review program</u>, the agency is not doing any studies of its own and is instead relying on outside data -- much of which comes from the agricultural chemicals industry it seeks to regulate.

"EPA ensures that each registered pesticide continues to meet the highest standards of safety to protect human health and the environment," the agency told HuffPost in a statement. "These standards have become stricter over the years as our ability to evaluate the potential effects of pesticides has increased. The Agency placed glyphosphate into registration review. Registration review makes sure that as the ability to assess risks and as new information becomes available, the Agency carefully considers the new information to ensure pesticides do not pose risks of concern to people or the environment."

Agribusiness giants, including Monsanto, Dow Chemical, Syngenta and BASF, <u>will generate much of the data the EPA is seeking</u> as part of a 19-member task force. But the EPA has emphasized that the task force is only "one of numerous varied third-party sources that EPA will rely on for use in its registration review."

The EPA is hardly the only industry regulator that relies heavily on data supplied by the agrochemical industry itself.

"The regulation of pesticides has been significantly skewed towards the manufacturers interests where state-of-the-art testing is not done and adverse findings are typically distorted or denied," said Jeffrey Smith, of the Institute for Responsible Technology. "The regulators tend to use the company data rather than independent sources, and the company data we have found to be inappropriately rigged to force the conclusion of safety."

"We have documented time and time again scientists who have been fired, stripped of responsibilities, denied funding, threatened, gagged and transferred as a result of the pressure put on them by the biotech industry," he added.

Such suppression has sometimes grown violent, Smith noted. Last August, when Carrasco and his team of researchers went to give a talk in La Leonesa they were <u>intercepted by a mob</u> of about a

hundred people. The attack landed two people in the hospital and left Carrasco and a colleague cowering inside a locked car. Witnesses said the angry crowd had ties to powerful economic interests behind the local agro-industry and that police made little effort to interfere with the beating, according to the human rights group Amnesty International.

Fagan told HuffPost that among developmental biologists who are not beholden to the chemical industry or the biotechnology industry, there is strong recognition that Carrasco's research is credible.

"For me as a scientist, one of the reasons I made the effort to do this research into the literature was to really satisfy the question myself as to where the reality of the situation lies," he added. "Having thoroughly reviewed the literature on this, I feel very comfortable in standing behind the conclusions Professor Carrasco came to and the broader conclusions that we come to in our paper

"We can't figure out how regulators could have come to the conclusions that they did if they were taking a balanced look at the science, even the science that was done by the chemical industry itself."

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# Arkansas commission votes for funding site cleanup

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WEST MEMPHIS, Ark. (AP) — The <u>Arkansas Pollution Control and Ecology Commission</u> has approved a request to spend up to \$405,000 to remove containers of corrosive and flammable materials from an abandoned facility in West Memphis.

Commission officials made the decision at a meeting Friday to spend money from the <u>Remedial Action Trust Fund</u> to address conditions at <u>Diaz Intermediates</u> Corp.

Arkansas <u>Department of Environmental Quality</u> officials say Diaz operated a facility in West Memphis that produced and supplied products to the chemical industry. The company filed for Chapter 7 bankruptcy in 2007.

In October 2007, the Environmental Protection Agency (EPA) took samples from a group of containers there and found that most held corrosive or flammable materials.

The EPA has agreed to pay three-fourths of the \$1.6 million cost to remove the substances.

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Home	Events Calendar	Community	Autos	SUBMITTED	About Us
News	Multimedia	Health	Classifieds	Calendar	Contact Us
Blogs	National/International	Living	Find San Antonio	Photos	Advertise online
Business	Obituaries	Green SA	jobs		Advertise in print
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Columnists	Travel	Outdoors	Shopping	e-Edition	Place a classified
Editorials	Traffic	Visitors'	Business	Mobile	ad
Education	Weather	Guide	Directory	Facebook	EN Subscription
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**Everything New Orleans** 

# Lake Pontchartrain chosen for federal effort to help urban waterways

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Mark Schleifstein, The Times-Picayune

A partnership of 11 federal agencies announced Friday that it will target **Lake Pontchartrain** and six other urban waterways in **an effort to coordinate environmental restoration efforts** to stimulate economic development, create jobs and improve the quality of life.



View full size

NASA photo

The movement of muddy Mississippi River floodwaters into Lake Pontchartrain is seen in this satellite photo taken May 17.

The **Urban Waters Federal Partnership** was officially announced in Baltimore, the site of the Patapsco River watershed, by EPA Administrator Lisa Jackson — a New Orleans native — and Interior Secretary **Ken Salazar**.

"Urban waters have the potential to support healthy environments, growing business and educational and recreational activities," Jackson said in an announcement about the program. "By bringing together the experience and expertise of multiple federal partners, we have a chance to reconnect local residents, young people and community groups with the environmental resources all around them."

In New Orleans, the program will focus on a variety of already-financed projects. These include assisting the Lake Pontchartrain Basin Foundation's reconstruction of the New Canal Lighthouse at West End, which will become a museum and environmental education center focusing on the basin's ecology.

The cooperative effort also includes an existing joint project of the National Park Service and the Friends of the Lafitte Corridor to turn 3 miles of abandoned land into a greenway containing a network of parks, playgrounds, recreational facilities and community centers.

EPA, the National Oceanic and Atmospheric Administration and the Army Corps of Engineers also will help

while the EPA, National Park Service, corps and the U.S. Geological Survey are working to revitalize Bayou St. John and are helping in developing a new University of New Orleans Wetlands Center in eastern New Orleans.

"We're being convened to provide support to individual project areas and to see what we can do to meet their goals," said Adele Cardenas Malott, senior policy adviser in



View full size New Canal Lighthouse rendering

EPA's Region 6 office in Dallas. She said a competitive grant program will be announced soon that local agencies and groups can apply for to pay for additional urban water projects in the lake area.

In addition to the EPA and Interior Department, the federal program participants include the Departments of Agriculture, Transportation, Housing and Urban Development and Commerce's Economic Development Administration and National Oceanic and Atmospheric Administration; the Corporation for National and Community Service, Centers for Disease Control and Prevention, National Institute for Environmental Health Sciences, and the corps.

The cooperative effort announcement came on the same day that EPA announced the awarding of \$1.1 million to the University of New Orleans Research and Technology Foundation for the latest batch of projects under the Lake Pontchartrain Basin Restoration Program, created by U.S. Sen. David Vitter in 2001.

This program, which also has been assisted by the Regional Planning Commission and the lake foundation, provides money for projects aimed at reducing the flow of untreated sewage to rivers, bayous and lakes; coastal restoration projects; and a variety of education and outreach programs. Part of the money pays for the lake foundation's water-quality monitoring program.

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June 25, 2011

## Insiders Sound an Alarm Amid a Natural Gas Rush

#### **By IAN URBINA**

Natural gas companies have been placing enormous bets on the wells they are drilling, saying they will deliver big profits and provide a vast new source of energy for the United States.

But the gas may not be as easy and cheap to extract from shale formations deep underground as the companies are saying, according to hundreds of industry e-mails and internal documents and an analysis of data from thousands of wells.

In the e-mails, energy executives, industry lawyers, state geologists and market analysts voice skepticism about lofty forecasts and question whether companies are intentionally, and even illegally, overstating the productivity of their wells and the size of their reserves. Many of these e-mails also suggest a view that is in stark contrast to more bullish public comments made by the industry, in much the same way that insiders have raised doubts about previous financial bubbles.

"Money is pouring in" from investors even though shale gas is "inherently unprofitable," an analyst from PNC Wealth Management, an investment company, wrote to a contractor in a February e-mail. "Reminds you of dot-coms."

"The word in the world of independents is that the shale plays are just giant Ponzi schemes and the economics just do not work," an analyst from IHS Drilling Data, an energy research company, wrote in an e-mail on Aug. 28, 2009.

Company data for more than 10,000 wells in three major shale gas formations raise further questions about the industry's prospects. There is undoubtedly a vast amount of gas in the formations. The question remains how affordably it can be extracted.

The data show that while there are some very active wells, they are often surrounded by vast zones of less-productive wells that in some cases cost more to drill and operate than the gas they produce is worth. Also, the amount of gas produced by many of the successful wells is falling much faster than initially predicted by energy companies, making it more difficult for

them to turn a profit over the long run.

If the industry does not live up to expectations, the impact will be felt widely. Federal and state lawmakers are considering drastically increasing subsidies for the natural gas business in the hope that it will provide low-cost energy for decades to come.

But if natural gas ultimately proves more expensive to extract from the ground than has been predicted, landowners, investors and lenders could see their investments falter, while consumers will pay a price in higher electricity and home heating bills.

There are implications for the environment, too. The technology used to get gas flowing out of the ground — called hydraulic fracturing, or hydrofracking — can require over a million gallons of water per well, and some of that water must be disposed of because it becomes contaminated by the process. If shale gas wells fade faster than expected, energy companies will have to drill more wells or hydrofrack them more often, resulting in more toxic waste.

The e-mails were obtained through open-records requests or provided to The New York Times by industry consultants and analysts who say they believe that the public perception of shale gas does not match reality; names and identifying information were redacted to protect these people, who were not authorized to communicate publicly. In the e-mails, some people within the industry voice grave concerns.

"And now these corporate giants are having an Enron moment," a retired geologist from a major oil and gas company wrote in a February e-mail about other companies invested in shale gas. "They want to bend light to hide the truth."

Others within the industry remain optimistic. They argue that shale gas economics will improve as the price of gas rises, technology evolves and demand for gas grows with help from increased federal subsidies being considered by Congress. "Shale gas supply is only going to increase," Steven C. Dixon, executive vice president of Chesapeake Energy, said at an energy industry conference in April in response to skepticism about well performance.

## Studying the Data

"I think we have a big problem."

Deborah Rogers, a member of the advisory committee of the Federal Reserve Bank of Dallas, recalled saying that in a May 2010 conversation with a senior economist at the Reserve, Mine K. Yucel. "We need to take a close look at this right away," she added.

A former stockbroker with Merrill Lynch, Ms. Rogers said she started studying well data from

shale companies in October 2009 after attending a speech by the chief executive of Chesapeake, Aubrey K. McClendon. The math was not adding up, Ms. Rogers said. Her research showed that wells were petering out faster than expected.

"These wells are depleting so quickly that the operators are in an expensive game of 'catch-up,' "Ms. Rogers wrote in an e-mail on Nov. 17, 2009, to a petroleum geologist in Houston, who wrote back that he agreed.

"This could have profound consequences for our local economy," she explained in the e-mail.

Fort Worth residents were already reeling from the sudden reversal of fortune for the natural gas industry.

In early 2008, energy companies were scrambling in Fort Worth to get residents to lease their land for drilling as they searched for so-called monster wells. Billboards along the highways stoked the boom-time excitement: "If you don't have a gas lease, get one!" Oil and gas companies were in a fierce bidding war for drilling rights, offering people bonuses as high as \$27,500 per acre for signing leases.

The actor Tommy Lee Jones signed on as a pitchman for Chesapeake, one of the largest shale gas companies. "The extremely long-term benefits include new jobs and capital investment and royalties and revenues that pay for public roads, schools and parks," he said in one television advertisement about drilling in the Barnett shale in and around Fort Worth.

To investors, shale companies had a more sophisticated pitch. With better technology, they had refined a "manufacturing model," they said, that would allow them to drop a well virtually anywhere in certain parts of a shale formation and expect long-lasting returns.

For Wall Street, this was the holy grail: a low-risk and high-profit proposition. But by late 2008, the recession took hold and the price of natural gas plunged by nearly two-thirds, throwing the drilling companies' business model into a tailspin.

In Texas, the advertisements featuring Mr. Jones disappeared. Energy companies rescinded high-priced lease offers to thousands of residents, which prompted class-action lawsuits. Royalty checks dwindled. Tax receipts fell.

The impact of the downturn was immediate for many.

"Ruinous, that's how I'd describe it," said the Rev. Kyev Tatum, president of the Fort Worth chapter of the Southern Christian Leadership Conference.

Mr. Tatum explained that dozens of black churches in Fort Worth signed leases on the promise nytimes.com/2011/06/26/us/26gas.ht... 3/7

of big money. Instead, some churches were told that their land may no longer be tax exempt even though they had yet to make any royalties on the wells, he said.

That boom-and-bust volatility had raised eyebrows among people like Ms. Rogers, as well as energy analysts and geologists, who started looking closely at the data on wells' performance.

In May 2010, the Federal Reserve Bank of Dallas called a meeting to discuss the matter after prodding from Ms. Rogers. One speaker was Kenneth B. Medlock III, an energy expert at Rice University, who described a promising future for the shale gas industry in the United States. When he was done, Ms. Rogers peppered him with questions.

Might growing environmental concerns raise the cost of doing business? If wells were dying off faster than predicted, how many new wells would need to be drilled to meet projections?

Mr. Medlock conceded that production in the Barnett shale formation — or "play," in industry jargon — was indeed flat and would probably soon decline.

"Activity will shift toward other plays because the returns there are higher," he predicted. Ms. Rogers turned to the other commissioners to see if they shared her skepticism, but she said she saw only blank stares.

#### **Bubbling Doubts**

Some doubts about the industry are being raised by people who work inside energy companies, too.

"Our engineers here project these wells out to 20-30 years of production and in my mind that has yet to be proven as viable," wrote a geologist at Chesapeake in a March 17 e-mail to a federal energy analyst. "In fact I'm quite skeptical of it myself when you see the % decline in the first year of production."

"In these shale gas plays no well is really economic right now," the geologist said in a previous email to the same official on March 16. "They are all losing a little money or only making a little bit of money."

Around the same time the geologist sent the e-mail, Mr. McClendon, Chesapeake's chief executive, told investors, "It's time to get bullish on natural gas."

In September 2009, a geologist from ConocoPhillips, one of the largest producers of natural gas in the Barnett shale, warned in an e-mail to a colleague that shale gas might end up as "the world's largest uneconomic field." About six months later, the company's chief executive, James

J. Mulva, described natural gas as "nature's gift," adding that "rather than being expensive,

shale gas is often the low-cost source." Asked about the e-mail, John C. Roper, a spokesman for ConocoPhillips, said he absolutely believed that shale gas is economically viable.

A big attraction for investors is the increasing size of the gas reserves that some companies are reporting. Reserves — in effect, the amount of gas that a company says it can feasibly access from its wells — are important because they are a central measure of an oil and gas company's value.

Forecasting these reserves is a tricky science. Early predictions are sometimes lowered because of drops in gas prices, as happened in 2008. Intentionally overbooking reserves, however, is illegal because it misleads investors. Industry e-mails, mostly from 2009 and later, include language from oil and gas executives questioning whether other energy companies are doing just that.

The e-mails do not explicitly accuse any companies of breaking the law. But the number of e-mails, the seniority of the people writing them, the variety of positions they hold and the language they use — including comparisons to Ponzi schemes and attempts to "con" Wall Street — suggest that questions about the shale gas industry exist in many corners.

"Do you think that there may be something suspicious going with the public companies in regard to booking shale reserves?" a senior official from Ivy Energy, an investment firm specializing in the energy sector, wrote in a 2009 e-mail.

A former Enron executive wrote in 2009 while working at an energy company: "I wonder when they will start telling people these wells are just not what they thought they were going to be?" He added that the behavior of shale gas companies reminded him of what he saw when he worked at Enron.

Production data, provided by companies to state regulators and reviewed by The Times, show that many wells are not performing as the industry expected. In three major shale formations — the Barnett in Texas, the Haynesville in East Texas and Louisiana and the Fayetteville, across Arkansas — less than 20 percent of the area heralded by companies as productive is emerging as likely to be profitable under current market conditions, according to the data and industry analysts.

Richard K. Stoneburner, president and chief operating officer of Petrohawk Energy, said that looking at entire shale formations was misleading because some companies drilled only in the best areas or had lower costs. "Outside those areas, you can drill a lot of wells that will never live up to expectations," he added.

reasonable rate for anywhere from 20 to 65 years, these companies have been making such predictions based on limited data and a certain amount of guesswork, since shale drilling is a relatively new practice.

Most gas companies claim that production will drop sharply after the first few years but then level off, allowing most wells to produce gas for decades.

Gas production data reviewed by The Times suggest that many wells in shale gas fields do not level off the way many companies predict but instead decline steadily.

"This kind of data is making it harder and harder to deny that the shale gas revolution is being oversold," said Art Berman, a Houston-based geologist who worked for two decades at Amoco and has been one of the most vocal skeptics of shale gas economics.

The Barnett shale, which has the longest production history, provides the most reliable case study for predicting future shale gas potential. The data suggest that if the wells' production continues to decline in the current manner, many will become financially unviable within 10 to 15 years.

A review of more than 9,000 wells, using data from 2003 to 2009, shows that — based on widely used industry assumptions about the market price of gas and the cost of drilling and operating a well — less than 10 percent of the wells had recouped their estimated costs by the time they were seven years old.

Terry Engelder, a professor of geosciences at Pennsylvania State University, said the debate over long-term well performance was far from resolved. The Haynesville shale has not lived up to early expectations, he said, but industry projections have become more accurate and some wells in the Marcellus shale, which stretches from Virginia to New York, are outperforming expectations.

#### A Sense of Confidence

Many people within the industry remain confident.

"I wouldn't worry about these shale companies," said T. Boone Pickens, the oil and gas industry executive, adding that he believes that if prices rise, shale gas companies will make good money.

Mr. Pickens said that technological improvements — including hydrofracking wells more than once — are already making production more cost-effective, which is why some major companies like ExxonMobil have recently bought into shale gas.

Shale companies are also adjusting their strategies to make money by focusing on shale wells that produce lucrative liquids, like propane and butane, in addition to natural gas.

Asked about the e-mails from the Chesapeake geologist casting doubt on company projections, a Chesapeake spokesman, Jim Gipson, said the company was fully confident that a majority of wells would be productive for 30 years or more.

David Pendery, a spokesman for IHS, added that though shale gas prospects had previously been debated by many analysts, in more recent years costs had fallen and technology had improved.

Still, in private exchanges, many industry insiders are skeptical, even cynical, about the industry's pronouncements. "All about making money," an official from Schlumberger, an oil and gas services company, wrote in a July 2010 e-mail to a former federal regulator about drilling a well in Europe, where some United States shale companies are hunting for better market opportunities.

"Looks like crap," the Schlumberger official wrote about the well's performance, according to the regulator, "but operator will flip it based on 'potential' and make some money on it."

"Always a greater sucker," the e-mail concluded.

Robbie Brown contributed reporting from Atlanta.



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# Abilene area apparently not high in radon, but government officials urge caution

### Government urges care withradioactive gas

By Brian Bethel

Sunday, June 26, 2011

Recent government estimates say radon — a naturally occurring, invisible and odorless radioactive gas — can be found in high levels in one out of every 15 American homes.

Exposure to the substance is estimated to be the leading cause of lung cancer among nonsmokers, leading to an estimated 21,000 deaths each year, according to the U.S. Environmental Protection Agency.

The potential danger of long-term exposure to radon has prompted the EPA and other government agencies to team up to increase awareness.

In a news release, EPA Administrator Lisa P. Jackson said the government's Federal Radon Action Plan hopes to raise awareness about the potential threat, making homes, schools and communities healthier places to work, live and play.

Locally, though, there seems to be little concern about the potential dangers of radon, which according to the Texas Department of State Health Services and others, tends to be present in low quantities in Taylor County and throughout much of the state.

"I haven't seen anything to indicate that radon is an issue in this area," said Pat Gray, an Abilene building/home inspector.

Brad Graham, another Abilene inspector, agreed, calling radon generally a "nonissue in this area," and even the region.

"There haven't been high levels found in the region, to my knowledge," he said. "I've run across other people who do the testing, and they're saying the same thing."

Graham said he saw much more call for testing 10 to 12 years ago.

"After a couple of years, though, we weren't finding any (affected homes)," he said, so the practice faded.

Still, the EPA and the surgeon general are urging homeowners to test their properties for radon at least every two years, and Texas' DSHS makes free kits available for

those who wish to do so, said Christine Mann, a spokeswoman for the state health department.

"It's the level of radon that one should be concerned about," Mann said, adding that the average amount of radon in homes in Texas is "within national norms."

Lt. Greg Goettsch with the Abilene Fire Department said the department "does not have the capability of testing for radon."

"To my knowledge, we've never been asked to perform this service," he said. "We have been unable to get a clear-cut answer as to the extent of the radon hazard in our area."

Some people — mostly vendors of radon test kits — "tell us that it is a very real hazard in our area," Goettsch said.

"Others, with more of a science background, have told us they don't believe radon is a significant health issue," he said.

According to the EPA's website, radon is found in outdoor air and in the indoor air of buildings of all kinds, created from the natural decay of uranium that is found in nearly all soils.

Radon typically moves up through the ground to the air above and into a home through cracks and other holes in the foundation, trapping the gas inside, where it can build up over time.

Any home may have a radon problem, according to the EPA, even newer ones.

The EPA recommends that homes should be fixed if the radon level is 4 pCi/L (which stands for picocuries per liter), or more.

The organization also recommends that homeowners consider fixing their dwellings if radon levels are higher than 2 pCi/L.

Graham said that when he was commonly testing for radon, he never saw greater than 1.6 pCi/L locally.

"I never saw a two," he said.

The average radon concentration in the air inside American homes is about 1.3 pCi/L, according to the EPA, a number on which the organization based its estimates of 21,000 deaths.

There are pockets around the state in which local geology is suspected of contributing to the potential for elevated levels of indoor radon, Mann said.

The Texas Panhandle, especially the counties clustered in a band through its center, has been shown to have moderate potential for indoor radon, according to the Department of State Health Services' website.

Texas has no areas of "highest potential," according to EPA standards, defined as 4 pCi/L or greater.

There are several proven methods to reduce radon, though the most commonly used technique is a vent pipe system and fan, which pull radon from beneath the house and vent it to the outside.

Bob Richardson, owner of Richardson Construction, said that although licensed to do the work necessary to aid in radon abatement, he's had little call for it — especially lately.

"Those things are becoming more and more uncommon," he said. "I don't know if it's due to indifference or lack of motivation. Maybe people are just forgetting the whole thing in our daily lives."

Consumers can place an order for a free kit by visiting DrHomeAir.com and entering their contact information in the "Texas Radon Program" area, Mann said.

The address must be a Texas residence. Each home qualifies for one free kit, a charcoal canister test that passively absorbs small amounts of radon over three to seven days.

The canister must be mailed back for analysis to the company's EPA-approved lab.

Texas schools interested in obtaining free radon test kits are encouraged to contact the DSHS' Indoor Air Quality Program for more information at 800-572-5548, ext. 2444 or 2428.

Those interested in learning more about the Federal Radon Action Plan can visit www.RadonPlan.us or by calling 1-800-SOS-RADO.



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